



March 18, 2005

ENGROSSED SENATE BILL No. 467

DIGEST OF SB 467 (Updated March 17, 2005 3:15 pm - DI 96)

Citations Affected: IC 9-18; noncode.

Synopsis: Personalized license plates. Specifies certain procedures concerning the issuance of a personalized license plate. Requires the bureau of motor vehicles to issue personalized license plates for 2006 and 2007 in certain circumstances. Repeals the political contribution paid at the time of an application or renewal for a personalized license plate, provides for a state fee and service charge to be paid at the time of application or renewal of a personalized license plate, and repeals the related fee schedule for distribution of the contribution.

Effective: July 1, 2005.

Miller, Dillon
(HOUSE SPONSOR — BUELL)

January 18, 2005, read first time and referred to Committee on Rules and Legislative Procedure.

February 10, 2005, pursuant to Senate Rule 65(b), reassigned to Committee on Commerce and Transportation.

February 17, 2005, amended, reported favorably — Do Pass.

February 21, 2005, read second time, ordered engrossed.

February 22, 2005, engrossed.

February 28, 2005, read third time, passed. Yeas 47, nays 1.

HOUSE ACTION

March 8, 2005, read first time and referred to Committee on Roads and Transportation.

March 17, 2005, amended, reported — Do Pass.

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ES 467—LS 7807/DI 96+



March 18, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 467

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-18-15-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. A **renewal**
3 **reservation** of a personalized license plate must be completed by
4 October 31 of the year before issuance of the personalized license plate
5 ~~or other indicia of renewal of registration as set forth in IC 9-18-2-8.~~
6 **according to the plate cycle set under IC 9-18-2-47.**
- 7 SECTION 2. IC 9-18-15-6 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. (a) If a person who
9 has been issued a personalized license plate renews the registration, the
10 person's combination of numerals and letters is not available to another
11 person until the following registration period:
- 12 (b) If a person does not ~~renew~~ who has been issued a personalized
13 license plate by October 31 of the year before the year a new
14 personalized license plate is to be issued, reserves the same
15 configuration of letters or numbers, or both, for the next plate
16 cycle as set forth in the combination section 5 of this chapter, that
17 configuration of letters and numerals, that was issued becomes or

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numbers, or both, is not available upon the application of a person qualifying under this chapter to another person until the following plate cycle.

SECTION 3. IC 9-18-15-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. If a person who has:

(1) registered a vehicle; and

(2) been issued a personalized license plate for the vehicle; releases ownership of the registered vehicle without transferring the registration to another vehicle, the combination of ~~numerals~~ **numbers and or letters, or both, does not become becomes** available ~~until the following registration year. in the next registration year to any person.~~

SECTION 4. IC 9-18-15-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) In addition to the applicable excise tax imposed under IC 6-6-5, the regular registration fees, and any additional fee required to receive a special recognition license plate described in section 1(b) of this chapter, a person applying for or renewing the registration of a personalized license plate shall pay ~~a~~ **the** personalized license plate fee ~~and contribution under IC 9-29-5-32.5~~ upon an original application or registration renewal, as provided in ~~section 5~~ of this chapter.

(b) Each license branch shall collect the personalized license plate fee ~~and contribution~~ at the time of application or registration renewal for the personalized license plate.

(c) Upon the payment of the required fee ~~contribution~~, and service charges for an original application or renewal of a personalized license plate, the bureau shall issue a receipt designating and acknowledging a state fee ~~a political contribution~~, and the service charge under IC 9-29.

(d) The payment of regular registration fees and excise tax, if applicable, may be deferred until the time that the personalized license plate is delivered to the person who applied for the plate.

(e) A license branch shall collect the service charge prescribed under IC 9-29 for each initial or renewal application for a personalized license plate as a reservation and special processing fee.

SECTION 5. IC 9-18-15-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) Revenue derived from the fees and contributions **collected before July 1, 2005**, under section 10 of this chapter, except the part of the fee retained under section 10(e) of this chapter, shall be deposited with the treasurer of state in a special fund. The money from this fund remaining after the deduction provided for in subsection (d) shall be distributed monthly

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by the auditor of state in the following manner:

(1) To any political party that cast at least five percent (5%) but less than thirty-three percent (33%) of the total vote of the state of all political parties at the last general election for the office of governor, as certified to the secretary of state under IC 3-12-5-6, the auditor of state shall distribute an amount from the special fund equal to the fractional amount of the vote cast in the last general election for the office of governor. Distribution of money from this fund shall be made to the treasurer of the state central committee of the political party.

(2) The balance of the special fund remaining after distributions provided by subdivision (1) shall be distributed monthly by the auditor of state in equal amounts to the treasurers of the state central committees of the two (2) political parties that cast the highest and next highest number of votes statewide for governor in the last election.

(b) The bureau shall provide to:

(1) the treasurers of the respective state central committees; and

(2) the auditor of state by the twentieth day of each month for the purpose of making the distributions under subsection (a);

a report defining the number of personalized license plates sold in each county, including the total dollar amount due the treasurers, during the monthly period prescribed in subsection (a). In addition, the bureau shall provide to the treasurers information necessary to comply with IC 3-9.

(c) Within thirty (30) days of receipt of money distributed under subsection (a), the treasurers of the respective state committees shall distribute to the treasurers of each county central committee of their respective parties an amount equal to one-half (1/2) of the distributions provided for in subsection (a)(2) that were collected during the quarterly period in that county.

(d) The bureau shall deduct seven dollars (\$7) for each original application and renewal application for a personalized plate and deposit the money in the motor vehicle highway account.

(d) This section expires October 31, 2005.

SECTION 6. IC 9-18-15-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 13.5. The bureau shall:**

(1) deduct thirty-seven dollars (\$37) of the fee collected for an initial or a renewal application for a personalized license plate; and

(2) deposit:

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(A) seven dollars (\$7) of the fee described in subdivision (1) in the motor vehicle highway account established under IC 8-14-1; and

(B) thirty dollars (\$30) of the fee described in subdivision (1) as a service charge into the state license branch fund established by IC 9-29-14-1.

SECTION 7. IC 9-29-5-32.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 32.5. The fee for a personalized license plate under IC 9-18-15 is as follows:**

(1) The applicable excise tax imposed under IC 6-6-5.

(2) The regular vehicle registration fee imposed under this chapter.

(3) A state fee of seven dollars (\$7) for the motor vehicle highway account established under IC 8-14-1.

(4) A service charge of thirty dollars (\$30) for the state license branch fund established by IC 9-29-14-1.

SECTION 8. IC 9-29-5-32 IS REPEALED [EFFECTIVE JULY 1, 2005].

SECTION 9. [EFFECTIVE JULY 1, 2005] (a) As used in this SECTION, "bureau" refers to the bureau of motor vehicles established by IC 9-14-1-1.

(b) As used in this SECTION, "personalized license plate" has the meaning set forth in IC 9-13-2-125.

(c) The bureau shall determine the persons who were:

(1) issued a personalized license plate for 2003; and

(2) not issued the same personalized license plate for the same vehicle for 2004 or 2005.

(d) Before September 1, 2005, the bureau shall:

(1) contact the persons identified in subsection (c); and

(2) inquire if those persons desire the same personalized license plate for the same vehicle for 2006 as was issued for 2003.

(e) A person in the category determined under subsection (c) is entitled to:

(1) renew the registration of the vehicle; and

(2) be issued the same personalized license plate for the vehicle for 2006 as was issued for 2003;

if the person completes the renewal of the registration by October 31, 2005.

(f) A vehicle registered as authorized by this SECTION is subject to the annual registration fee and to any other:

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- 1 (1) fee;
2 (2) contribution;
3 (3) service charge; or
4 (4) excise tax;
5 **required of a person registering a vehicle in accordance with**
6 **IC 9-18-15-10, as amended by this act.**
7 (g) A person who has been issued a personalized license plate
8 under subsection (e) must comply with IC 9-18-15-10, as amended
9 by this act, to be issued the same personalized license plate for
10 2007.
11 (h) This SECTION expires January 1, 2008.

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REPORT OF THE PRESIDENT
PRO TEMPORE

Madam President: Pursuant to Senate Rule 65(b), I hereby report that Senate Bill 467, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Commerce and Transportation.

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred Senate Bill No. 467, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 16, delete "When" and insert **"Except as provided in subsection (d), when"**.

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"(d) If a person who has been issued a personalized license plate dies during the plate cycle set forth in IC 9-18-2-47, the same personalized license plate must be made available to another eligible person who files an application for the personalized license plate by October 31 of the year before the issuance of the personalized license plate or other indicia of registration as set forth in IC 9-18-2-8."

and when so amended that said bill do pass.

(Reference is to SB 467 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 10, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 467, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-18-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. A **renewal reservation** of a personalized license plate must be completed by October 31 of the year before issuance of the personalized license plate ~~or other indicia of renewal of registration as set forth in IC 9-18-2-8.~~ **according to the plate cycle set under IC 9-18-2-47.**"

Page 1, line 2, strike "(a) If a person who".

Page 1, line 3, strike "has been issued a personalized license plate".

Page 1, line 6, reset in roman "If a person".

Page 1, line 6, strike "does not".

Page 1, line 6, delete "file a new application for" and insert **"who has been issued"**.

Page 1, line 7, strike "by October 31 of the year".

Page 1, line 8, delete "a" and insert **"reserves the same configuration of letters or numbers, or both, for the next"**.

Page 1, line 8, after "cycle" insert **"as"**.

Page 1, line 9, delete "IC 9-18-2-47 ends,".

Page 1, line 9, strike "the combination" and insert **"section 5 of this chapter, that configuration"**.

Page 1, line 9, delete "or".

Page 1, line 10, delete "numbers, or both,".

Page 1, line 10, strike "that was issued becomes" and insert **"or numbers, or both, is not"**.

Page 1, line 10, strike "upon the".

Page 1, line 11, strike "application of a person qualifying under this chapter." and insert **"to another person until the following plate cycle."**

Page 1, delete lines 12 through 17.

Page 2, delete lines 1 through 12.

Page 2, line 19, strike "does not become" and insert **"becomes"**.

Page 2, line 19, strike "until the following".

Page 2, line 20, delete "plate cycle as set forth in IC 9-18-2-47." and insert **"in the next registration year to any person."**

Page 2, delete lines 21 through 42.

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Page 3, delete lines 1 through 3, begin a new paragraph and insert:
 "SECTION 4. IC 9-18-15-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. (a) In addition to the applicable excise tax imposed under IC 6-6-5, the regular registration fees, and any additional fee required to receive a special recognition license plate described in section 1(b) of this chapter, a person applying for or renewing the registration of a personalized license plate shall pay ~~a~~ **the** personalized license plate fee ~~and contribution under IC 9-29-5-32.5~~ upon an original application or registration renewal, as provided in ~~section 5~~ of this chapter.

(b) Each license branch shall collect the personalized license plate fee ~~and contribution~~ at the time of application or registration renewal for the personalized license plate.

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(d) The payment of regular registration fees and excise tax, if applicable, may be deferred until the time that the personalized license plate is delivered to the person who applied for the plate.

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(1) To any political party that cast at least five percent (5%) but less than thirty-three percent (33%) of the total vote of the state of all political parties at the last general election for the office of governor, as certified to the secretary of state under IC 3-12-5-6, the auditor of state shall distribute an amount from the special fund equal to the fractional amount of the vote cast in the last general election for the office of governor. Distribution of money from this fund shall be made to the treasurer of the state central committee of the political party.

(2) The balance of the special fund remaining after distributions

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provided by subdivision (1) shall be distributed monthly by the auditor of state in equal amounts to the treasurers of the state central committees of the two (2) political parties that cast the highest and next highest number of votes statewide for governor in the last election.

(b) The bureau shall provide to:

- (1) the treasurers of the respective state central committees; and
- (2) the auditor of state by the twentieth day of each month for the purpose of making the distributions under subsection (a);

a report defining the number of personalized license plates sold in each county, including the total dollar amount due the treasurers, during the monthly period prescribed in subsection (a). In addition, the bureau shall provide to the treasurers information necessary to comply with IC 3-9.

(c) Within thirty (30) days of receipt of money distributed under subsection (a), the treasurers of the respective state committees shall distribute to the treasurers of each county central committee of their respective parties an amount equal to one-half (1/2) of the distributions provided for in subsection (a)(2) that were collected during the quarterly period in that county.

(d) The bureau shall deduct seven dollars (\$7) for each original application and renewal application for a personalized plate and deposit the money in the motor vehicle highway account.

(d) This section expires October 31, 2005.

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(1) deduct thirty-seven dollars (\$37) of the fee collected for an initial or a renewal application for a personalized license plate; and

(2) deposit:

(A) seven dollars (\$7) of the fee described in subdivision (1) in the motor vehicle highway account established under IC 8-14-1; and

(B) thirty dollars (\$30) of the fee described in subdivision (1) as a service charge into the state license branch fund established by IC 9-29-14-1.

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(1) The applicable excise tax imposed under IC 6-6-5.



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(2) The regular vehicle registration fee imposed under this chapter.

(3) A state fee of seven dollars (\$7) for the motor vehicle highway account established under IC 8-14-1.

(4) A service charge of thirty dollars (\$30) for the state license branch fund established by IC 9-29-14-1.

SECTION 8. IC 9-29-5-32 IS REPEALED [EFFECTIVE JULY 1, 2005]."

Page 3, line 18, delete "Notwithstanding IC 9-18-15-6(c), as added by this act, a" and insert "A".

Page 3, line 35, delete "IC 9-18-15-6(b)," and insert "IC 9-18-15-10,".

Page 3, line 35, delete "added" and insert "**amended**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 467 as printed February 18, 2005.)

DUNCAN, Chair

Committee Vote: yeas 11, nays 0.

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